

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6750 of 1993

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed : NO  
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO  
of the judgement?
4. Whether this case involves a substantial question : NO  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

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PRAKASHBHAI K BRAHMBHATT

Versus

STATE OF GUJARAT

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Appearance:

MR BHARAT T RAO for Petitioner

Mr V.M.Pancholi, AGP, for Respondent No. 1

MR BG PATEL for Respondent No. 2

RULE NOT RECD BACK for Respondent No. 3

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CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 19/08/1999

ORAL JUDGEMENT

It is brought to the notice of the Court that petitioner Prakashbhai K Brahmbhatt has expired. The petitioner has not claimed any personal proprietary right but has challenged the exemptions granted by the State Government in favour of respondents nos.2 and 3 under Section 20 of the Urban Land (Ceiling & Regulation) Act,

1976. Hence, there is no question of cause of action surviving to the petitioner's heirs and legal representatives and even otherwise in view of the provisions of the Urban Land (Ceiling & Regulation) Repeal Act, 1999, as adopted by the State Government by its Resolution dated 30.3.1999 under Article 252(2) of the COnstitution, this petition would not survive. The petition is accordingly dismissed as having abated. Rule is discharged.

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(mohd)